IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE FIFTEENTH DAY OF SEPTEMBER
TWO THOUSAND AND FOUR

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PRESENT

THE HON'BLE MR JUSTICE A.GOPAL REDDY

WRIT PETITION NO : 16454 of 2004

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Between:

Chillinthrala Nellamma, W/o. Viswanadham,
R/o. Bayyannagudem, Koyyalagudem Mandal,
West Godavari District.

..... PETITIONER

AND

-

1 Agent to the Government, West Godavari District,

Eluru.
2 Special Deputy Collector, (Tribal Welfare) K.R. Puram.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to declare the action of the 1st respondent in not passing order on the stay application filed by the petitioner against order dated 18-11-2003 passed by the 2nd respondent in S.R.No. 28 of 2003 under the provisions of A.P. Scheduled Area Land Transfer Regulation 1 of 1959 as amended by Regulation of 1 of 1970 as illegal, arbitrary and unjust by issuing appropriate writ of mandamus or direction otherwise the petitioner will suffer irreparable loss and injury.

Counsel for the Petitioner: MR.M.V.S.SURESH KUMAR

Counsel for Respondents: GP FOR REVENUE

The Court at the admission stage made the following :

ORDER:

Heard learned counsel for the petitioner and learned Government Pleader for Revenue for respondents. Both have no objection for disposal of the writ petition at the admission stage.

Proceedings initiated for ejectment of the petitioner's mother under Section 3(1) of the A.P. Schedule Area Land Transfer Regulation, read with Section 4(1) of the Agency Tracts Interest and Land Transfer Act 1917 over an extent of Ac.0.50 cents in R.S.No.478/1 were dropped by the Special Deputy Collector (T.W), K.R. Puram in S.R.No.28 of 2003 dated 18-11-2003. Since the petitioner fails to produce any documentary evidence for the remaining extent of Acs.1.50, ejectment order was passed for the said extent. Aggrieved by the same, the petitioner filed an appeal before the first respondent along with the application for stay of all further proceedings till the disposal of the appeal. As the said stay application has not been disposed of, petitioner filed the present writ petition.

In view of the fact that the stay application filed by the petitioner has not been disposed of by the first respondent, the first respondent is directed to dispose of the stay application said to have been filed by the petitioner within a period of two weeks from the date of receipt of a copy of this order.

With the above direction, the Writ Petition is disposed of at the admission stage.

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A. Gopal Reddy, J.

15th September, 2004.

Js.

ASSISTANT REGISTRAR

To

1 Agent to the Government, West Godavari District,

Eluru.

2 Special Deputy Collector, (Tribal Welfare) K.R. Puram.

3 2 CCs to G.P. for Revenue, High Court Buildings, Hyderabad.

4 2 CD copies.